



PTO/SB/21 (08-03)

Approved for use through 08/30/2003, OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	7	Attorney Docket Number	200/1004-40
--	---	------------------------	-------------

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b>	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Deana A. Arnold, Ph.D. Reg. No.: 52,567
Signature	
Date	Feb. 6, 2004

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Paulette D. Isler
Signature	
Date	2/6/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on 2/16/04.

Signed: Paulette D. Isler  
Paulette D. Isler

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

PATIL et al.

Application No.: 10/635,175

Filed: August 6, 2003

For: METHODS FOR ENRICHING  
POPULATIONS OF NUCLEIC ACID  
SAMPLES

Examiner: tbd

Art Unit: tbd

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97 AND §1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on the attached form PTO-1449 are being called to the attention of the Examiner. With the exception of the cited U.S. patents and U.S. patent application publications, copies of the other references listed are enclosed herewith.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement

and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

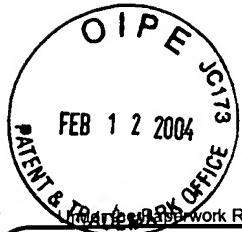
This information disclosure statement is being filed after the mailing date of the first Office Action and more than three months after the filing date, but prior to the mailing of a Notice of Allowance. Authorization to charge the appropriate fee to the undersigned's deposit account is submitted herewith. Please charge any additional fees or credit any overpayment to Deposit Account No. 50-2043.

Respectfully submitted,



Deana A. Arnold, Ph.D.  
Reg. No. 52,567

Perlegen Sciences, Inc.  
2021 Stierlin Court  
Mountain View, CA 94043  
Tel: (650) 625-4603  
Fax: (650) 625-4574



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**Complete if Known**

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1

of 4

Application Number	10/635,175
Filing Date	August 6, 2003
First Named Inventor	Nila Patil
Art Unit	TBD
Examiner Name	TBD
Attorney Docket Number	200/1004-40

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> ( <i>if known</i> )			
1	US-	5,143,854		Pirrung et al.	
2	US-	5,252,743		Barrett et al.	
3	US-	5,384,261		Winkler et al.	
4	US-	5,405,783		Pirrung et al.	
5	US-	5,412,087		McGall et al.	
6	US-	5,424,186		Fodor et al.	
7	US-	5,445,934		Fodor et al.	
8	US-	5,501,964		Wigler et al.	
9	US-	5,510,270		Fodor et al.	
10	US-	5,538,869		Siciliano et al.	
11	US-	5,571,639		Hubbell et al.	
12	US-	5,578,832		Trulson et al.	
13	US-	5,593,839		Hubbell et al.	
14	US-	5,601,976		Yamane	
15	US-	5,677,195		Winkler et al.	
16	US-	5,714,354		Arnold et al.	
17	US-	5,731,734		Stern et al.	
18	US-	5,759,822		Chenchik et al.	
19	US-	5,804,382		Sythowski et al.	

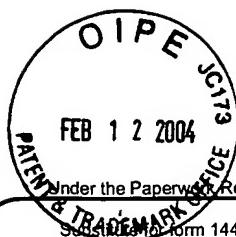
FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> ( <i>if known</i> )			T <sup>6</sup>
20	EP	0717113 A3	06/19/1996	Affymax Tech.	
21	EP	0950720 A1	10/20/1999	Affymetrix, Inc	
22	WO	03/010328 A2	02/06/2003	Affymetrix, Inc	
23	WO	00/18960	04/06/2000	Mass. Inst. Tec	
24	WO	98/56954	12/17/2998	Affymetrix, Inc	
25	WO	97/27317	07/31/1997	Affymetrix, Inc	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2

of 4

**Complete if Known**

Application Number	10/635,175
Filing Date	August 6, 2003
First Named Inventor	Nila Patil
Art Unit	TBD
Examiner Name	TBD

Attorney Docket Number 200/1004-40

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> ( <i>if known</i> )			
26	US-	5,831,070		Pease et al.	
27	US-	5,837,832		Chee et al.	
28	US-	6,040,138		Lockhart et al.	
29	US-	6,132,965		Austin et al.	
30	US-	6,183,957 B1		Cole et al.	
31	US-	6,228,575		Gingeras et al.	
32	US-	6,300,063		Lipshutz et al.	
33	US-	6,309,823		Cronin et al.	
34	US-	6,355,782		Zonana et al.	
35	US-	6,361,947		Dong et al.	
	US-				

**FOREIGN PATENT DOCUMENTS**

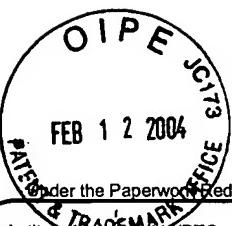
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> "Number" <sup>4</sup> "Kind Code" <sup>5</sup> ( <i>if known</i> )				
36	WO	97/29212	08/14/1997	Affymetrix, Inc		
37	WO	97/10365	03/20/1997	Affymax Tech.		
38	WO	95/11995	05/04/1995	Affymax Tech.		
39	WO	93/09668	05/27/1993	Affymax Tech.		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

3

of

4

Complete if Known	
Application Number	10/635,175
Filing Date	August 6, 2003
First Named Inventor	Nila Patil
Art Unit	TBD
Examiner Name	TBD
Attorney Docket Number	200/1004-40

**NON PATENT LITERATURE DOCUMENTS**

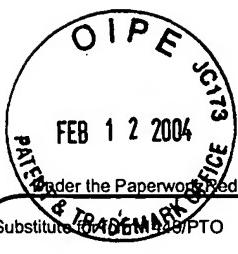
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	40	Barrett et al., "Genotypic nalysis of multiple loci in somatic cells by whole genome amplification" NAR 23:17:3488-3492 ('95)	
	41	Green et al., "Gene Analysis" A Laboratory Manual, Detecting Genes, Volume 2:1998	
	42	Guatelli et al., "Isothermal, in vitro amplification of nucleic acids by a multienzyme reaction modeled after retroviral replication" PNAC USA 87:1874-1878 ('90)	
	43	Kwoh et al., "Transcription-based amplification system and detection of amplified human immunodeficiency virus type 1 with a bead-based..." PNAS USA 86:1173-1177 ('89)	
	44	Landergren et al., "A Ligase-Mediated Gene Detection Technique" Science 241:1077-1080 ('88)	
	45	Lovett et al., "Direct selection: A method for the isolation of cDNAs encoded by large genomic regions" PNAS USA 88:9628-9632 ('91)	
	46	Sambrook et al., "Molecular Cloning" A Laboratory Manual, Cold Springs Harbor; Third Edition 2:xi-xvi:Ch. 8-14	
	47	Stemmer et al., "Single-step assembly of a gene and entire plasmid from larege numbers of ilogodeoxyribonucleotides" Gene 164:49-53 ('95)	
	48	Straus et al., "Genomic subtraction for cloning DNA corresponding to deletion mutations" PNAS USA 87:1889-1893 ('90)	
	49	Sundaram et al., "Liquid Chromatographic Assay for the Separation of Single- and Double- Stranded DNA by Using UV and UV..." JLC:18(5):925-939 ('95)	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.  
 This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:  
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



FEB 12 2004

PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
is a collection of information unless it contains a valid OMB control number.

Substitute for TRADEMASS PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

18

1

af

1

**Complete if Known**

Application Number	10/635,175
Filing Date	August 6, 2003
First Named Inventor	Nila Patil
Art Unit	TBD
Examiner Name	TBD
Attorney Docket Number	200/1004-40

## NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:  
**Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.